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EXAMINER

COLLINS, MICHAEL

ART UNIT	PAPER NUMBER
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3651

MAIL DATE	DELIVERY MODE
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11/30/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/569,518

Applicant(s)

OPHEIM, STYRK

Examiner

Michael K. Collins

Art Unit

3651

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 October 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-13 and 17-27 is/are pending in the application.
- 4a) Of the above claim(s) 14-16 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-13 and 17-27 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 25 September 2007 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Drawings

1. The drawings were received on 9/25/2007. These drawings are acceptable.

Response to Arguments

2. Applicant's arguments with respect to claims 1-27 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

4. Claim 17 is rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

How does a vending machine located at a school depend upon a room key?

5. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

6. Claim 13 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 13 recites the limitation "the vendor machine" in lines 1-2. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

9. Claims 1-11, 19-21 and 25-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Asher et al. (USP 5,567,926) and further in view of Asher (USP 4,891,755).

Regarding claim 1, Asher et al. disclose a system for delivery of product units from a vending machine to a customer, said system comprising:

- a control central (17); and
- a vending machine (11,12,13,14) coupled to the control central remotely located from the vending machine, the vending machine comprising a control unit (25) configured to control conditions for delivery of the product units from the vending machine,
- wherein a withdrawal of product units from the vending machine is dependent upon a room key or member card being read by a card reader (26) in the vending machine (see column 1 lines 48-149),
- wherein registered information is employed to implement invoicing (see column 1 lines 16-21 and column 3 lines 34-36), and
- wherein selective access to withdraw product units from the vending machine is dependent on additional information associated with said register information sent to the control unit, said additional information including at least one of customer information, time, and location (see column 1 lines 38-42, column 2 lines 20-32 and lines 63-67, and column 3 lines 1-5).

However, Asher et al. do not specifically disclose a system for delivery of product units from a vending machine to a customer, said system comprising a vending machine configured to register information about product content in the vending machine, and comprising means wherein the registered information is indicative of the withdrawal of the product units from the vending machine and is employed to implement automatic invoicing in respect of the withdrawn product units. Asher discloses a system for delivery of product units from a vending machine to a customer, said system comprising

a vending machine configured to register information about product content in the vending machine (see column 2 lines 10-17), and comprising means wherein registered information indicative of the withdrawal of the product units from the vending machine is employed to implement automatic invoicing in respect of the withdrawn product units (see column 2 lines 62-68 and column 3 lines 1-6 respectively). Therefore, it would have been obvious to a person of ordinary skill in the art at the time of the applicant's invention to modify Asher et al. by including in the system for delivery of product units from a vending machine to a customer, a vending machine configured to register information about product content in the vending machine, and means wherein registered information indicative of the withdrawal of the product units from the vending machine is employed to implement automatic invoicing in respect of the withdrawn product units, as disclosed by Asher, for the purpose of recording and automatically debiting the removal of any item from a mini-bar to overcome the problem of theft and of cheating (see column 1 lines 50-52).

Regarding claim 2, Asher et al. in view of Asher disclose a system that is obvious over the system according to claim 1. Furthermore, Asher discloses a system wherein the control central is configured to continuously register the products units that are delivered to the customer, and wherein the product unit that the customer buys is debited by the control center automatically after the purchase (see column 1 lines 50-65). Therefore, it would have been obvious to a person of ordinary skill in the art at the time of the applicant's invention to modify Asher et al. by including in the system for delivery of product units from a vending machine to a customer, means wherein the

control central is configured to continuously register the products units that are delivered to the customer, and wherein the product unit that the customer buys is debited by the control center automatically after the purchase, as disclosed by Asher, for the purpose of recording and automatically debiting the removal of any item from a mini-bar to overcome the problem of theft and of cheating (see column 1 lines 50-52).

Regarding claim 3, Asher et al. in view of Asher disclose a system that is obvious over the system according to claim 1. Furthermore, Asher et al. disclose a system wherein the control unit is programmed via the control central to regulate which of the products units can be delivered from the vending machine and which of the products units are blocked from delivery (see column 1 lines 38-42 and column 2 lines 26-32).

Regarding claim 4, Asher et al. in view of Asher disclose a system that is obvious over the system as in any of the preceding claims. Furthermore, Asher et al. disclose a system wherein the control central is operable to rebate the customer for some or all products in the vending machine (see column 1 lines 11-12, line 42, and lines 50-52).

Regarding claim 5, Asher et al. in view of Asher disclose a system that is obvious over the system according to claim 1. Furthermore, Asher et al. disclose a system wherein the vending machine is configured to be operated by a feed-unit (20), wherein said feed-unit is selected from a group comprising a keyboard (see column 2 line 17), a remote control unit and another wireless unit.

Regarding claim 6, Asher et al. in view of Asher disclose a system that is obvious over the system according to claim 1. Furthermore, Asher et al. do not disclose a system wherein a TV set is connected to the control central (see column 2 line 26 and

line 49), and the vending machine is arranged to be operated via the remote control of the TV set (see column 2 lines 28-32).

Regarding claim 7, Asher et al. in view of Asher disclose a system that is obvious over the system according to claim 1. Furthermore, Asher et al. do not disclose a system wherein access to the vending machine is conditioned by the use of a correct room key (see column 3 lines 2-5), wherein the access to the room gives a corresponding access to the vending machine against a simultaneous invoicing of all withdrawals (see column 1 lines 31-50).

Regarding claim 8, Asher et al. in view of Asher disclose a system that is obvious over the system according to claim 5. Furthermore, Asher et al. disclose a system further comprising a card reader (26) coupled to the vending machine, wherein said card reader reads at least one of a magnetic card and another storing body and is used in combination with a code that can be keyed into the feed unit to activate the vending machine (see column 1 lines 43-47).

Regarding claim 9, Asher et al. in view of Asher disclose a system that is obvious over the system according to claim 1. Furthermore, Asher et al. disclose a system wherein said conditions of delivery comprise delivery of the product units which are subjected to restrictions at least one of age limits and time related restrictions (see column 1 lines 38-42).

Regarding claim 10, Asher et al. in view of Asher disclose a system that is obvious over the system according to claim 9. Furthermore, Asher discloses a system further comprising a display coupled to the vending machine and configured to show

selection possibilities and to present information (see column 3 lines 12-13). Therefore, it would have been obvious to a person of ordinary skill in the art at the time of the applicant's invention to modify Asher et al. by including in the system for delivery of product units from a vending machine to a customer, a display coupled to the vending machine and configured to show selection possibilities and to present information, as disclosed by Asher, for the purpose of providing a display indicating the sum of the total charge or number of items and charge (see column 3 lines 12-13).

Regarding claim 11, Asher et al. in view of Asher disclose a system that is obvious over the system according to claim 1. Furthermore, Asher et al. disclose a system wherein the vending machine is located in a hotel room (see column 2 lines 12-13), and the control central (17) is operated from the hotel reception by an operator (see column 1 lines 38-42).

Regarding claim 19, Asher et al. in view of Asher disclose a system that is obvious over the system according to claim 1. Furthermore, Asher et al. disclose a system wherein the control central is configured to control the conditions of delivery for each specific customer (see column 1 lines 38-42). However, Asher et al. do not disclose a system wherein the control central is configured to continuously collect information about product content from the control unit. Asher discloses a system wherein the control central is configured to continuously collect information about product content from the control unit (see column 1 lines 50-68). Therefore, it would have been obvious to a person of ordinary skill in the art at the time of the applicant's invention to modify Asher et al. by including in the system for delivery of product units

from a vending machine to a customer, means wherein the control central is configured to continuously collect information about product content from the control unit, as disclosed by Asher, for the purpose of recording and automatically debiting the removal of any item from a mini-bar to overcome the problem of theft and of cheating (see column 1 lines 50-52).

Regarding claim 20, Asher et al. in view of Asher disclose a system that is obvious over the system according to claim 1. However, Asher et al. do not specifically disclose a system wherein the room key is a card including a data chip. Yet, the selection of a known material based upon its suitability for the intended use is a design consideration within the skill of the art. In re Leshin, 227 F.2d 197, 125 USPQ 416 (CCPA 1960).

Regarding claim 21, Asher et al. in view of Asher disclose a system that is obvious over the system according to claim 1. Furthermore, Asher et al. disclose a system wherein the room key is a card including a magnetic strip (see column 1 line 35).

Regarding claim 25, Asher et al. disclose a method for delivery of product units from a vending machine to a customer, comprising:

- inserting a room key (see column 1 lines 49-50) in a vending machine (11,12,13,14) coupled to a control central (17) remotely located from the vending machine;
- reading with a card reader (26) the room key inserted into the vending machine, said reading includes ;

- verifying register information at the control central based upon the reading of the room key (see column 3 lines 2-5);
- selecting by a customer of a desired product unit from product units;
- controlling the conditions for delivery from the control unit in the vending machine by the control central (see column 1 lines 38-42), wherein registered information and conditions for a customer is input to the control central by an operator (see column 2 lines 65-67);
- preventing delivery of the desired product unit to the customer, if the registered information and conditions for a customer prohibits sale of the product unit (see column 1 lines 38-42 and column 2 lines 26-32);
- delivering, if the registered information and conditions for a customer approves, the desired product unit to the customer (see column 2 lines 26-32); and

However, Asher et al. do not specifically disclose a method for delivery of product units from a vending machine to a customer, comprising the steps of: collecting information continuously by the control central about presence of the product units from a control unit coupled to the vending machine; and automatically invoicing the customer for the delivered product unit. Asher discloses a method for delivery of product units from a vending machine to a customer, comprising the steps of: collecting information continuously by a control central about the presence of product units from a control unit (16) coupled to a vending machine (11 and see column 1 lines 66-68 and column 2 lines 1-2 respectively); and automatically invoicing the customer for the delivered product unit (see column 2 lines 10-17). Therefore, it would have been obvious to a

person of ordinary skill in the art at the time of the applicant's invention to modify Asher et al. by including in the method for delivery of product units from a vending machine to a customer, steps comprised of collecting information continuously by the control central about presence of the product units from a control unit coupled to the vending machine; and automatically invoicing the customer for the delivered product unit, as disclosed by Asher, for the purpose of recording and automatically debiting the removal of any item from a mini-bar to overcome the problem of theft and of cheating (see column 1 lines 50-52).

Regarding claim 26, Asher et al. in view of Asher disclose a method that is obvious over the method according to claim 25. Furthermore, Asher discloses a method further comprising continuously registering by the control central of the product units that are delivered to the customer. Therefore, it would have been obvious to a person of ordinary skill in the art at the time of the applicant's invention to modify Asher et al. by including in the method for delivery of product units from a vending machine to a customer, a step comprised of continuously registering by the control central of the product units that are delivered to the customer, as disclosed by Asher, for the purpose of recording and automatically debiting the removal of any item from a mini-bar to overcome the problem of theft and of cheating (see column 1 lines 50-52).

10. Claims 12-13, 17-18, and 22-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Asher et al. (USP 5,567,926) in view of Asher (USP 4,891,755) as applied to claims 1-11, 19-21, and 25-26 above, and further in view of Kimura et al. (USP 4,120,452).

Regarding claim 12, Asher et al. disclose a system for delivery of product units from vending machine to a plurality of customers, said system comprising:

- a control central (17); and
- a vending machine (11,12,13,14) coupled to the control central remotely located from the vending machine, the vending machine; comprising a control unit (25) configured to control conditions for delivery of the product units from the vending machine (see column 2 lines 20-32);
- wherein the control unit controls the conditions for delivery in relation to which product units can be delivered from the vending machine to the customer, and which product units are prevented from being delivered dependent upon register information (see column 1 lines 38-42);
- wherein a withdrawal of product units from the vending machine is dependent upon a room key being read by a card reader (26) in the vending machine (see column 1 lines 43-49),
- wherein registered information is employed to implement invoicing (see column 1 lines 16-21 and column 3 lines 34-36)

However, Asher et al. do not specifically disclose a system for delivery of product units from a lobby vending machine to a plurality of customers, wherein said system comprises means wherein the registered information is indicative of the withdrawal of the product units from the vending machine and is employed to implement automatic invoicing in respect of the withdrawn product units. Asher discloses a system comprising means wherein registered information indicative of the withdrawal of the

product units from the vending machine is employed to implement automatic invoicing in respect of the withdrawn product units (see column 2 lines 62-68 and column 3 lines 1-6 respectively). Therefore, it would have been obvious to a person of ordinary skill in the art at the time of the applicant's invention to modify Asher et al. by including in the system means wherein registered information indicative of the withdrawal of the product units from the vending machine is employed to implement automatic invoicing in respect of the withdrawn product units, as disclosed by Asher, for the purpose of recording and automatically debiting the removal of any item from a mini-bar to overcome the problem of theft and of cheating (see column 1 lines 50-52).

Furthermore, Asher et al. do not disclose a system for delivery of product units from a lobby vending machine to a plurality of customers, wherein said system comprises a lobby vending machine, placed in a common area. Kimura et al. disclose a system for delivery of product units from a lobby vending machine to a plurality of customers, wherein said system comprises a lobby vending machine, placed in a common area (see column 1 lines 18-25 and lines 32-33, and column 10 lines 1-45), and further including: a control central (see column 7 lines 33-34), a vending machine (231) coupled to the control central remotely located from the vending machine, the vending machine; comprising a control unit (1) configured to control conditions for delivery of the product units from the vending machine, wherein a withdrawal of product units from the vending machine is dependent upon a room key (see Figure 4) being read by a card reader (42,43,44) in the vending machine, and means wherein the registered information is indicative of the withdrawal of the product units from the

vending machine and is employed to implement automatic invoicing in respect of the withdrawn product units (see column 7 lines 33-50). Therefore, it would have been obvious to a person of ordinary skill in the art at the time of the applicant's invention to modify Asher et al. by including in the system means for delivery of product units from a lobby vending machine to a plurality of customers, wherein said system comprises a lobby vending machine, placed in a common area, as disclosed by Kimura et al., for the purpose of providing a vending system for use in a hotel or the like capable of automatically processing the data about the articles and their quantities that a guest has bought from a refrigerator or vending machine during his stay (see column 1 lines 31-36).

Regarding claim 13, Asher et al. in view of Asher and further in view of Kimura et al. disclose a system that is obvious over the system according to claim 12.

Furthermore, Kimura et al. disclose a system wherein the vendor machine is located in hotel facilities selected from the group consisting of lobbies, well-being departments, spa and massage parlors, swimming pools, fitness rooms, squash and tennis courts, discos, restaurants, internet cafes, and cinemas. Therefore, it would have been obvious to a person of ordinary skill in the art at the time of the applicant's invention to modify Asher et al. by including in the system means for delivery of product units from a lobby vending machine to a plurality of customers, wherein said system comprises a lobby vending machine wherein the vendor machine is located in hotel facilities selected from the group consisting of lobbies, well-being departments, spa and massage parlors, swimming pools, fitness rooms, squash and tennis courts, discos, restaurants, internet

cafes, and cinemas, as disclosed by Kimura et al., for the purpose of providing a vending system for use in a hotel or the like capable of automatically processing the data about the articles and their quantities that a guest has bought from a refrigerator or vending machine during his stay (see column 1 lines 31-36).

Regarding claim 17, Asher et al. in view of Asher and further in view of Kimura et al. disclose a system that is obvious over the system according to claim 12.

Furthermore, Kimura et al. disclose a system wherein the vending machine is located in public areas selected from the group consisting of travel terminals, companies, and schools. Therefore, it would have been obvious to a person of ordinary skill in the art at the time of the applicant's invention to modify Asher et al. by including in the system means for delivery of product units from a lobby vending machine to a plurality of customers, wherein said system comprises a lobby vending machine wherein the vending machine is located in public areas selected from the group consisting of travel terminals, companies, and schools, as disclosed by Kimura et al., for the purpose of providing a vending system for use in a hotel or the like capable of automatically processing the data about the articles and their quantities that a guest has bought from a refrigerator or vending machine during his stay (see column 1 lines 31-36).

Regarding claim 18, Asher et al. in view of Asher and further in view of Kimura et al. disclose a system that is obvious over the system according to claim 12.

Furthermore, Asher et al. disclose a system further comprising a corresponding card reader (26) coupled to the vending machine, wherein said card reader reads at least one of a magnetic card and another storing body and is used in combination with a code

that can be keyed into the feed unit to activate said vending machine (see column 1 lines 43-49).

Regarding claim 22, Asher et al. in view of Asher and further in view of Kimura et al. disclose a system that is obvious over the system according to claim 12.

Furthermore, Asher et al. disclose a system wherein the control central is configured to control the conditions of delivery for each specific customer (see column 1 lines 38-42).

However, Asher et al. do not disclose a system wherein the control central is configured to continuously collect information about product content from the control unit. Asher discloses a system wherein the control central is configured to continuously collect information about product content from the control unit (see column 1 lines 50-68).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time of the applicant's invention to modify Asher et al. by including in the system means wherein the control central is configured to continuously collect information about product content from the control unit, as disclosed by Asher, for the purpose of recording and automatically debiting the removal of any item from a mini-bar to overcome the problem of theft and of cheating (see column 1 lines 50-52).

Regarding claim 23, Asher et al. in view of Asher and further in view of Kimura et al. disclose a system that is obvious over the system according to claim 12. However, Asher et al. do not specifically disclose a system wherein the room key is a card including a data chip. Yet, the selection of a known material based upon its suitability for the intended use is a design consideration within the skill of the art. In re Leshin, 227 F.2d 197, 125 USPQ 416 (CCPA 1960).

Regarding claim 24, Asher et al. in view of Asher and further in view of Kimura et al. disclose a system that is obvious over the system according to claim 12.

Furthermore, Asher et al. disclose a system wherein the room key is a card including a magnetic strip (see column 1 line 35).

11. Claim 27 is rejected under 35 U.S.C. 103(a) as being unpatentable over Asher et al. (USP 5,567,926) in view of Asher (USP 4,891,755) as applied to claims 1-11, 19-21, and 25-26 above, and further in view of Vidondo (USP 6,360,140).

Regarding claim 27, Asher et al. in view of Asher disclose a method that is obvious over the method according to claim 25. Furthermore, Asher et al. disclose a method further comprising releasing the product unit from the vending machine to the customer if a control of the control unit cancels the preventing of delivery (see column 2 lines 20-32). However, Asher et al. does not disclose releasing the product unit from the vending machine to the customer via a delivery chute. Vidondo discloses a method for delivery of product units from a vending machine to a customer, comprising a step of releasing the product unit from the vending machine to the customer via a delivery chute. Therefore, it would have been obvious to a person of ordinary skill in the art at the time of the applicant's invention to modify Asher et al. by including in the method for delivery of product units from a vending machine to a customer, a step comprised of releasing the product unit from the vending machine to the customer via a delivery chute, as disclosed by Vidondo, for the purpose of providing a product dispenser with inventory monitoring which is of the type of dispensers that include a refrigerating equipment and product selection pushbuttons communicating with a central control to

be comprised of a channel through which a selected product falls (see column 2 lines 27-32 and line 47).

Conclusion

12. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

13. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael K. Collins whose telephone number is (571) 272-8970. The examiner can normally be reached on 8:30 am - 5:00 pm M-F.

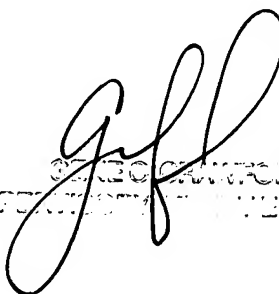
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Art Unit: 3651

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gene O. Crawford can be reached on (571) 272-6911. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

M.C.
11/29/2007


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